

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
MELISSA NICOLE MATLON,) CASE NO. 09-23446 JPK
) Chapter 7
Debtor.)

ORDER DENYING APPLICATION FOR WAIVER OF THE MOTION
TO REOPEN CHAPTER 7 FILING FEE ("APPLICATION") AND
MOTION TO REOPEN BANKRUPTCY CASE ("MOTION")

The Application and Motion were both filed on May 22, 2010. The focus of the Motion is to reopen the Chapter 7 case in order to add an omitted creditor, so that ostensibly the debtor may obtain a discharge of any indebtedness owed to that creditor. The Chapter 7 Trustee filed a no asset report on September 30, 2009 in this case (docket record entry #10). As a result, pursuant to 11 U.S.C. § 523(a)(3), the indebtedness of the omitted creditor has been discharged, because no claim filing date has ever been established in this case. There is therefore no need to reopen this case in order to obtain discharge of the ostensibly affected creditor, and thus no reason to consider the Application.

IT IS ORDERED that the Motion is denied.¹

IT IS FURTHER ORDERED that the Application is denied.

Dated at Hammond, Indiana on June 9, 2010.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee

¹ As a result of denial of the Motion, an apparent objection to the Motion filed by Lynn McCallister on June 2, 2010 is moot.